

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

MARK KOKOSZKI, individually and on
behalf of all others similarly situated,

Plaintiff,

v.

PLAYBOY ENTERPRISES, INC.,

Defendant.

Case No. 19-cv-10302-BAF-RSW
Hon. Bernard A. Friedman

**AGREED MOTION FOR LEAVE TO FILE ENLARGED BRIEF IN
SUPPORT OF PLAINTIFF’S UNOPPOSED MOTION FOR
PRELIMINARY APPROVAL OF CLASS ACTION SETTLEMENT**

Plaintiff Mark Kokoszki (“Plaintiff”), through his counsel, hereby moves the Court for leave to file an enlarged brief, not to exceed 33 pages, in support of his unopposed motion for preliminary approval of class action settlement. In support of this Motion, Plaintiff states as follows:

1. As set forth in Plaintiff’s forthcoming Unopposed Motion for Preliminary Approval of Class Action Settlement, the Parties have reached agreement on a class-wide settlement, which, if approved, will fully and finally resolve all claims against Defendant Playboy Enterprises, Inc. (“Defendant”) related to the Michigan Preservation of Personal Privacy Act.

2. Plaintiff has made his greatest effort to keep his preliminary approval brief as succinct as possible. However, Plaintiff believes in good faith that the filing of a brief in excess of 25 pages is necessary to fully and effectively (i) set forth the material terms of the Parties' settlement agreement, (ii) demonstrate that the proposed settlement class warrants certification under Rule 23(b)(3) for settlement purposes, and (iii) demonstrate that the Parties' proposed settlement warrants preliminary approval under Rule 23(e) and relevant Sixth Circuit precedent. *See* E.D. Mich. LR 7.1(d)(3)(A). As such, Plaintiff's Motion is 33 pages in length, inclusive of signatures.

3. Plaintiff's counsel conferred with counsel for Defendant on January 21, 2020. Defendant does not oppose this motion and agrees to the relief requested herein.

WHEREAS, Plaintiff respectfully requests that the Court enter an Order granting him leave to file an enlarged brief, not to exceed 33 pages, in support of his Unopposed Motion for Preliminary Approval of Class Action Settlement.

Dated: January 23, 2020

Respectfully submitted,

MARK KOKOSZKI,

By: /s Philip L. Fraietta
One of Plaintiff's Attorneys

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